

# Department of Corrections



George A.  
Lombardi,  
Director

Feb.  
2010

## *Employee Handbook*

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## Section I

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### MISSOURI DEPARTMENT OF CORRECTIONS

2729 Plaza Drive \* P.O. Box 236  
Jefferson City, Missouri 65102  
573-751-2389

Dear Employee:

It is my distinct pleasure to welcome you to the Missouri Department of Corrections' family. I want to wish you success as you assume your duties with us. We hope that you will quickly feel at home and prosper in your career.

Starting a new career is an important endeavor and means as much to us as it does to you. Whatever position you hold on our team, it is important. We have built our Department through the leadership, dedication, teamwork, cooperation and service of quality staff such as you. Your commitment to these ideals is absolutely necessary for us to continue our growth and development as a quality employer. As a member of the Department of Corrections' team, you are charged with protecting the public and assisting in the reformation of offenders.

The following pages will provide you with a better understanding of our Department and its operations. You will become familiar with the requirements and responsibilities of working for the Department of Corrections. The statements and policies contained in this handbook serve only as a guideline for our activities. Please review them carefully to understand our expectations of you, as well as your privileges as an employee. Please note that not all policies are covered and you must take responsibility to become familiar with departmental, divisional and work site policies and procedures. Please contact your worksite personnel representative for further information or questions.

We are proud to have you as part of our team. We hope you will share with us our sense of pride as you grow with us. Please share your handbook with your family, as they too will learn important information about your new career, our Department, and the benefits of working with us.

Again, welcome, and thank you for choosing us as your employer.

Sincerely,

A handwritten signature in black ink, reading "George A. Lombardi".

George A. Lombardi  
Director

### **Departmental Overview**

#### **Introduction**

The Employee Handbook will acquaint you with the Missouri Department of Corrections and outlines your responsibilities and privileges as an employee. It should be used as a reference tool only. Your supervisor or human resources staff can provide further information should questions or problems arise during your employment. In addition, department and divisional policy and procedure manuals, and operating regulations are available for review at your work site. They will provide you with detailed information and reflect any updates and changes that may occur.

The Employee Handbook does not cover all aspects of your employment or each policy and procedure in complete detail, but serves as a convenient reference. For further detailed information regarding all applicable policies and procedures, please refer to the departmental and divisional policy and procedure manuals at your work site. You are encouraged and expected to become familiar with the contents of these documents.

Nothing contained in this handbook is meant to create any rights not afforded by state statute or federal laws.

#### **Mission and Vision**

Department Policy D1-1

##### ***Mission***

The Missouri Department of Corrections supervises and provides rehabilitative services to adult offenders in correctional institutions and Missouri communities to enhance public safety.

##### ***Vision***

*A Safer Missouri and the Standard of Excellence in Corrections*

We desire to be the standard of excellence in the field of corrections. Through innovation and collaboration, we want to embrace changes that better serve Missouri communities impacted by criminal behavior and achieve a safer State.

##### ***Values***

**Staff:** Our people are important. We value their safety and security. We value their input as subject matter experts. We will be proactive in the recruitment, retention and promotion of qualified personnel. We recognize the importance of professional development and strive to offer opportunities for career advancement. We desire to build a diverse team of individuals who achieve great things together.

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**Offender Success:** We believe in the ability of people to change. We value the opportunity to work with offenders in our institutions and our communities to provide them with the tools necessary to become productive, tax-paying, law abiding citizens. We strive to be firm, fair and consistent in our institutional management and use effective and appropriate supervision strategies in our communities.

**Accountability:** Accountability to each other and all Missourians is a key value for the department. We strive to create a transparent system of operations that embraces integrity and accountability. Staff is accountable to each other for safety and security and for the continuous improvement of our department. As a department, we are accountable for how we plan, measure and manage our work as well as what we achieve with the evidence-based information. Offenders are accountable for the crimes they have committed and for completing their sentence established by the courts.

**Restored Communities:** We value our Missouri families and communities that are affected by crime and the role we play in restoring them. We value the rights of crime victims and the role of restorative justice. We value the use of collaborative partnerships to enhance public safety by facilitating effective probation, crime prevention, reduction of recidivism and the provision of reentry of services. We strive to work with offenders to repair harms done, and restore the communities to which many will return.

### **Departmental Organizations**

The Governor, with the advice and consent of the Senate, appoints the Director of the Department of Corrections. The Director supervises all activities of the Department with the assistance of the Deputy Director. The Division Directors provide effective and efficient efforts to meet the mission of the Department. The following divisions serve the Director:

- Division of Adult Institutions
- Division of Human Services
- Division of Offender Rehabilitative Services
- Division of Probation and Parole

A director supervises each of these divisions, except for Probation and Parole, which is supervised by the chairman. The executive staff of the Department consists of the Department Director, the Deputy Director, three Division Directors, and the Chairman of Probation and Parole.

### **Office of the Director**

The Director oversees the management of all divisions as well as the following specialized areas:

- Constituent Services
- Deputy Director
- Inspector General

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- Legal Counsel
- Legislative Affairs
- Public Information
- Victim Services
- Missouri Re-entry Process/Women's Program Management
- Restorative Justice
- Budget and Research and Evaluation
- Emergency Preparedness/Workplace Violence

### **Division of Adult Institutions**

The Division of Adult Institutions is responsible for public safety through secure confinement, management, and supervision of adult offenders incarcerated within our correctional institutions. The institutions range from custody level one (minimum security) to custody level five (maximum security), thereby providing appropriate housing and programmatic functions for all levels of offenders based on security requirements and rehabilitative needs and re-entry preparation.

### **Division of Human Services**

The Division of Human Services has the responsibility of recruiting and training a professional and diverse workforce, where safety and wellness is practiced as part of the job and is essential to carrying out the vision, mission, values and professional principles of the Department. The Division is tasked with improving the work environment of employees, maintaining a qualified workforce, and improving communication between management and staff. Human Services also provides coordinated services to the divisions within the Department by supervising the following activities:

- Employee Health and Safety
- Fiscal Management
- General Services
- Human Resources
- Planning Section
- Religious/Spiritual Programming
- Training/Staff Development
- Volunteers/Interns

### **Division of Offender Rehabilitative Services**

The Division of Offender Rehabilitative Services (DORS) is responsible for the management, supervision and direction of rehabilitative, educational, and training activities for offenders in correctional institutions. DORS develops and delivers intervention services necessary for offenders to correct their criminal behavior and become more productive at each point in the Department's supervision continuum. Programs operated by this division include:

- Academic Education
- Medical and Mental Health
- Missouri Sexual Offenders Program (MOSOP)



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- Missouri Vocational Enterprises
- Substance Abuse Services
- Workforce Readiness

### **Division of Probation and Parole**

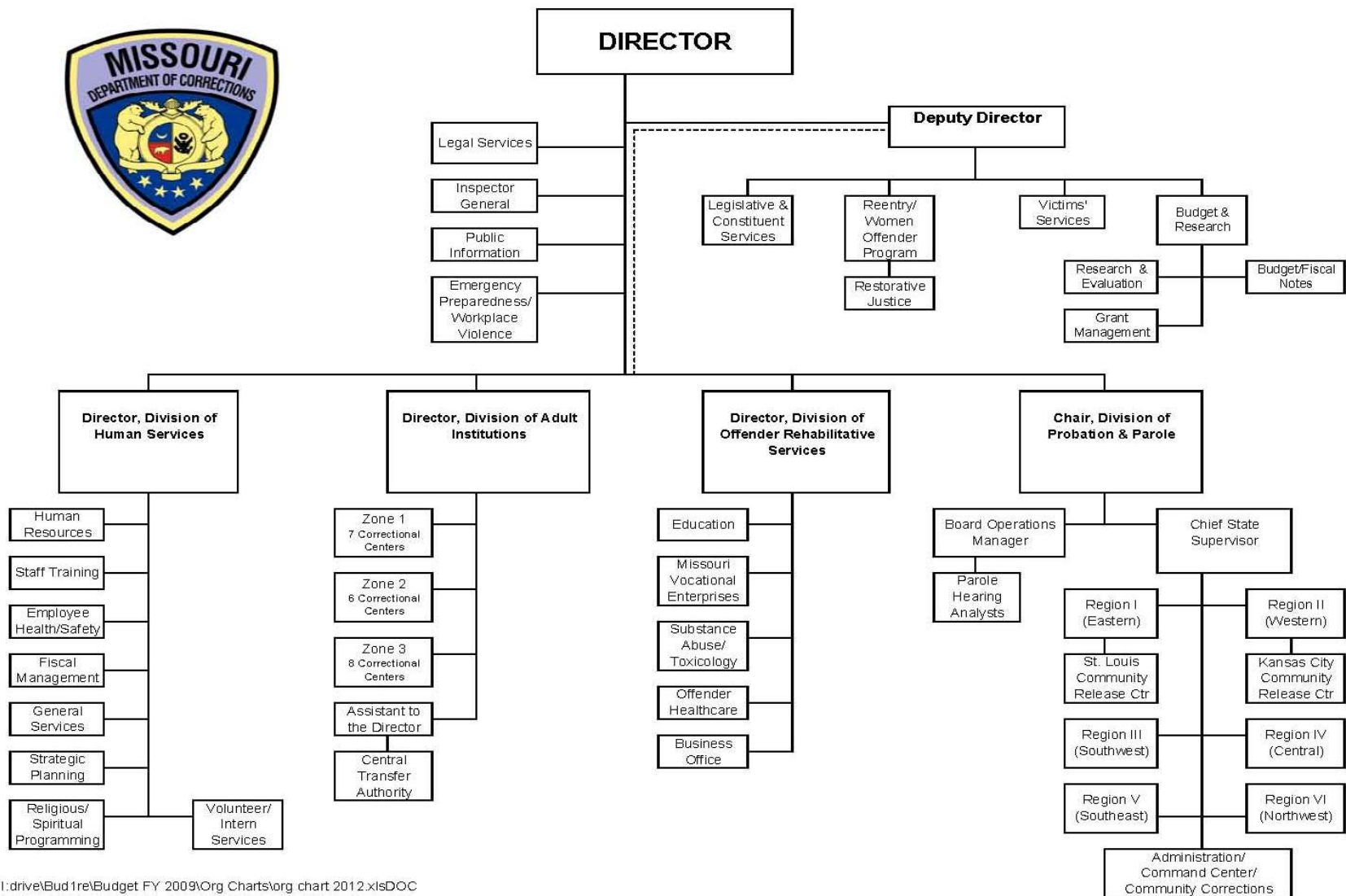
The Division of Probation and Parole has responsibility for the release of offenders from state correctional centers and the supervision of offenders upon their return to the community. The Division also provides for the supervision of offenders placed on probation by the circuit courts in the 114 counties throughout the state and the City of St. Louis. The Division is responsible for the management of the community release centers, community supervision centers, the electronic monitoring program, and community corrections programs. The Division of Probation and Parole uses a classification system that ensures offenders are supervised according to their risk to the public and individual needs.

Also, within the Division of Probation and Parole is the Parole Board. This Board consists of seven members appointed by the Governor, subject to the advice and consent of the Senate. Board members serve a six-year term during which they determine the eligibility and conditions for the release of offenders confined in the Division of Adult Institutions. The Board investigates and reports to the Governor on all applications for pardons, commutations of sentences, reprieves or restorations of citizenship. The Chairman of the Board also serves as Interstate Compact Administrator. The Interstate Compact for Adult Supervision allows for cooperation between states to transfer supervision of eligible offenders from one state to another state.

Units comprising the Division of Probation and Parole are:

- Central Office
- Community Release Centers
- Community Supervision Centers
- Institutional Parole Offices
- Probation and Parole Field Offices

# Missouri Department of Corrections



Organizational Chart

## Section III

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### **Employee Standards**

#### **Department's Commitment to Employees**

The Department has established in selected policies and procedures the following commitments to each employee:

- To receive on-the-job, pre-service, in-service training and instructions to perform his/her job.
- To have access to all written policies and procedures.
- The ability to recommend changes in policies and procedures.
- The ability to suggest changes to improve efficiency resulting in cost savings to the taxpayers.
- To receive timely performance appraisals.
- To have employee personnel records maintained confidentially, as provided by procedure and law.

All employees must comply with the following code of conduct.

#### **Employee Standards D2-11**

##### **Missouri Code of Conduct for Executive Branch Employees**

- **Executive Branch employees shall conduct the business of state government in a manner which inspires public confidence and trust.**
1. Employees shall avoid any interest or activity which improperly influences, or gives the appearance of improperly influencing, the conduct of their official duties.
  2. Employees shall act impartially and neither dispense nor accept special favors or privileges that might be construed to improperly influence the performance of their official duties.
  3. Employees shall not allow political participation or affiliation to improperly influence the performance of their duties to the public.
  4. Employees shall not engage in business with state government, hold financial interests, or engage in outside employment when such actions are inconsistent with the conscientious performance of their official duties.
  5. Employees shall not use or improperly possess an illegal controlled substance or alcohol in the workplace or during work hours.
  6. Employees of the state are expected to comply with the statutes of Missouri at all times.

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- **Executive Branch employees shall comply with all applicable federal, state, and local laws.**
  1. Employees shall observe all conflict of interest provisions in law applicable to their agencies and position of employment.
  2. Employees shall adhere to all laws providing equal opportunity to all citizens.
  3. Employees shall perform their responsibilities as they are specified in law or other authority establishing those responsibilities.
- **Financial compensation of state employment consists of only authorized salaries and fringe benefits.**
  1. Employees shall not use their public position and influence in a manner designed to create personal gain.
  2. Employees shall not disclose confidential information gained by reason of their public positions or use such information for personal gain or benefit.
  3. Employees shall not directly or indirectly attempt to influence agency decisions in matters relating to prospective employers with whom employment has been accepted or is being negotiated.
- **Executive Branch employees owe the public the diligent application of their knowledge, skills, and abilities for which they are compensated.**
  1. Employees shall not perform outside employment or other activities not appropriate during hours compensated for state employment and will use leave and other benefits provided by the State only for the purpose intended.
  2. Employees shall carry out all lawful instructions of designated supervisors, and will report instructions not consistent with law to the proper authorities.
- **Equipment, material, and supplies purchased with public funds are intended for public use only.**
  1. Employees shall use and maintain state equipment, materials and supplies in an efficient manner.
  2. Employees shall use state equipment, materials and supplies solely for purposes related to the performance of state business.

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- **The work of state government will be conducted with respect, concern and courtesy toward clients, co-workers, and the general public.**
  1. Employees shall approach their duties with a positive attitude and constructively support open communication, dedication, and compassion for all staff and offenders.
  2. Employees shall conduct their duties with courtesy toward co-workers, offenders, and the general public, recognizing the diverse backgrounds, characteristics, and beliefs of all those with whom they conduct state business.
  3. Employees shall not engage in any form of illegal harassment or discrimination in the workplace, including on the basis of race, color, religion, national origin, ancestry, sex, age or disability.
  4. Employees in connection with the performance of their duties shall not seek sexual favors from subordinate staff, co-workers, offenders or members of the public.
- **The Code of Conduct shall provide guidance to officials and employees of the Executive Branch of Missouri state government in matters of employment related conduct.**
  1. When questions arise in the application of this code, the public interest will receive primary consideration in any resolution.
  2. The Code of Conduct is not intended to fully prescribe the proper conduct of employees and the failure to prohibit an employee action in this code does not constitute approval of the action.
  3. The Code of Conduct is intended as a supplement to the provisions in law that governs employee conduct, and in no instance does it decrease the requirements in law.
  4. Agency heads are responsible for promoting and enforcing this code of conduct among the employees of their agencies in accordance with their respective agency procedures, and shall supplement it with additional provisions to meet the needs of their agencies.
  5. The Code of Conduct is intended to provide guidance for employment related conduct and is not intended to create any right or benefit enforceable by law.
  6. No state agency or appointing authority shall discharge, threaten, or otherwise retaliate against an employee for reporting in good faith any violation of this code.
  7. In applying this code to specific situations, the standard to be used is that of a reasonable person having knowledge of the pertinent circumstances.

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### **Department Code of Ethics D2-11**

In addition to the above Code of Conduct for Executive Branch Employees, all employees of the Department will abide by the following Code of Ethics:

1. Employees will be diligent in their responsibility to record all information which could contribute to sound decisions affecting offenders or public safety.
2. When making public statements, employees will clearly distinguish between those that are personal views and those that are statements and positions on behalf of the Department.
3. Employees will maintain the integrity of private information and will neither seek personal data beyond that needed to perform their responsibilities nor reveal any information to anyone not having authorization for use of such.
4. Any employee who is responsible for Departmental personnel actions will make all appointments, promotions or dismissals on the basis of merit only and not in furtherance of personal or partisan interests.
5. Employees will report without reservation any corrupt or unethical behavior which could affect either the offenders or the integrity of the Department.
6. Employees are obligated to immediately report any misconduct or mismanagement through the appropriate chain of command. Purposefully false accusations will result in severe disciplinary action.

In addition to the standards contained in the two foregoing codes, the Department of Corrections holds its employees to a very high standard of conduct, not only in their professional role, but also in their personal life. The Department maintains the philosophy that all state statutes and merit system regulations pertaining to the Department's operations shall be complied with in full. All employees of the Department are required to maintain their professionalism during the performance of their duties and in their relationship with the public, fellow employees, and offenders. The manner in which an employee conducts his or her personal life should reflect the highest professional, moral and ethical standards and should not reflect negatively on the Department.

Upon employment with the Department, you will be given a code of conduct card that will guide you during your employment with the Department. Please review and become knowledgeable of these standards, as you are expected to abide by and conduct yourself accordingly. You will also be encouraged and required to complete specialized training in certain areas of conduct that will assist you in meeting the standards that are important to becoming a successful professional in the field of corrections.

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### **Use of Department Properties**

#### Department Procedure D4-4

The appropriate use of department property is necessary to adequately maintain it in the best possible condition. All employees who use department owned property and equipment are required to give the best care and maintenance to such property and equipment to ensure that the recommended lifespan is met. The employee shall not use department owned property and equipment for any personal reason or benefit.

### **Computer Systems**

#### Department Procedure D1-7.1

Employees who are authorized access to the department's computer systems are assigned a user's identification and are required to maintain a confidential password. Employees must not reveal this password to anyone. An employee who learns that someone has learned his or her password must promptly create a new password.

The Department reserves the right to access any and all information contained in computer files, including electronic mail messages. Employees should have no expectation of privacy with regard to these files, including their electronic messages. Access to the computer system, including electronic mail and the Internet, is for official state business use only. The use of the Department's computer system for personal reasons is forbidden. This includes, but is not limited to, sending and receiving of emails, accessing non-work related websites, downloading files, and accessing information from MULES, NCIC, and OP II for personal reasons. Employees are not to disclose or misuse confidential information obtained in the course of conducting departmental business. Misuse of the Department's computer system for personal reasons may subject the employee to disciplinary action, up to and including dismissal.

An employee must not permit computer access through his or her user identification by another employee, unless given permission by supervisory authority for state business purposes only. Similarly, employees are prohibited from accessing any computer system through the user identification of another employee.

### **Work Schedules**

#### Department Procedure D2-8.11

Work schedules are critical to the efficient operation of the Department. Employees are informed by their supervisory staff of their work hours. Employees are expected to report to work as scheduled. When employees are unable to report as required, they shall report their absence as required by policy.

When requested by their supervisory staff, employees are required to work beyond their normal shift and more than 40 hours in a workweek when such work is deemed necessary. Employees refusing to work overtime may be subject to disciplinary action, up to and including dismissal.

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Employees shall not work overtime without the prior approval of their supervisor. Any employee working overtime without prior approval may be subject to disciplinary action.

### **Outside Employment/Volunteer Work**

#### **Department Procedure D2-11.1**

Employees may hold employment outside of the Department as long as it is determined by their division that it is not a conflict of interest and does not interfere with their work performance. Employees working in code 2 positions will not be permitted to hold a second code 2 position within a state agency in accordance with the Fair Labor Standards Act without prior approval from the Department Human Resources Director and the Division Director.

Employees are to ensure that their outside employment does not affect their work performance in any manner and must give **first** consideration to their employment with the Department of Corrections.

Employees are required to advise their immediate supervisor, in writing, upon accepting employment outside of the Department. The written notification must include a description of the hours worked and the type of duties involved. Exception to the rule: division directors may require employees to obtain prior approval for outside employment if they deem it in the best interest of the division.

Employees who wish to volunteer their services in a treatment context outside of the Department where there is contact with offenders must discuss the volunteer work with his/her immediate supervisor before the volunteer work is accepted to avoid any potential conflict of interest.

### **Employee Identification Cards**

#### **Department Procedure D2-14.1**

All employees of the Department, including contract workers, volunteers and students assigned to work within the Department, are required to have an employee identification card. These cards are to be in your possession and displayed as directed.

### **Employee Personal Information**

Due to the nature of the work performed, the Department is required to keep accurate, up-to-date employment records on all employees in order to ensure compliance with state and federal laws, to keep benefits information up-to-date, and to make certain that important mailings reach all employees. The organization considers the information in employment records to be confidential.

Employees must immediately inform their work site human resources office of any necessary updates to their personnel file such as a change of address, telephone number, emergency contact, marital status, name, number of dependents, or military status.



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Employees are also required to update their personal information during their birth month as part of their annual tuberculosis (TB) testing. During the year, as changes occur, it is the employee's responsibility to report changes to the worksite human resources office to include all of the above demographic data.

The Division of Adult Institutions, the Division of Offender Rehabilitative Services, and the Board of Probation and Parole occasionally need to contact off duty employees. Therefore, all staff are required to provide a working telephone number where the employee can be reached during off duty hours. It is the employee's responsibility to provide this telephone number to his or her immediate supervisor and to ensure the work site human resources office is informed. The employee must notify his or her supervisor and the human resources office whenever the number is changed.

### **Attentive on Duty**

All employees are required to be alert and attentive while on duty. While this is required of all employees, it is especially important for employees who work in a correctional center.

### **State Tax Compliance**

All employees of the Department must be in compliance with section 105.262, RSMo. As a condition of continued employment with the State of Missouri, employees must file all state income tax returns and pay all state income tax owed yearly. The Department is informed when employees have not fulfilled this obligation and the Department then notifies these employees. Within 45 days of being notified by the Department, employees must file the required forms and either pay the tax and penalties owed or provide a copy of a payment plan approved by the Department of Revenue. The only acceptable payment plan is a payroll deduction. The form for a payroll deduction must be presented to the employee's human resources office in order to be considered final and approved. An employee who fails to file the required tax forms and either pay the tax and penalties owed or, in the alternative, present an approved payroll deduction form to the human resources office within 45 days of notification will be dismissed from employment.

### **Firearms**

#### Department Procedure D2-16.1

Employees authorized to carry a firearm in the performance of their duties must comply with all relevant departmental and divisional policies and procedures.

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### **Nepotism and Fraternization**

#### Department Procedure D2-11.3

Nepotism shall be defined as hiring or providing benefits to a relative through the powers of an employee's office, regardless of that employee's rank. Relatives may be permitted to work within the same work location in accordance with the guidelines set forth in this procedure.

All department employees are prohibited from having a personal relationship with a supervisor or a subordinate in their chain of command.

A personal relationship is defined as a relationship that consists of more than mere social interaction between individuals. It includes, but is not limited to, romantic involvement with another person, dating, sexual activity, or cohabitation.

If a promotion, temporary assignment, or some other employment action causes employees having a personal relationship to be placed in positions as supervisor and subordinate, each employee must immediately report the existence of their relationship in writing to the chief administrative officer.

If a supervisor and a subordinate desire to enter into a personal relationship which would be prohibited by the fraternization rules, the chief administrative officer will take appropriate action as outlined in D2 11.3.

Employees who violate any of the rules of D2-11.3, regarding fraternization, will be disciplined, up to and including dismissal.

### **Sexual and Other Harassment**

#### Department Procedure D2-11.4

The Department of Corrections prohibits any form of illegal discrimination or harassment on the basis of race, color, national origin, ancestry, sex, age, disability, or perceived disability. Employees who engage in or participate in such behavior are subject to discipline. Employees who make inappropriate comments or engage in inappropriate behavior of this nature may be disciplined for discourteous or unprofessional conduct even though such conduct may not qualify as discrimination or harassment as defined by state and federal statutes. Any inappropriate use of derogatory racial names, racial jokes or racial comments is prohibited.

In addition, any inappropriate sexual advances, request for sexual favors, touching, explicit sexual comments or innuendoes, indecent exposure or overt displays of sexually oriented pictures are prohibited. Other forms of behavior such as requests for a date or after hour socializing may constitute harassment or inappropriate behavior in violation of this policy and subject the employee to disciplinary action, up to and including dismissal.

Employees who believe they have been subject to sexual or racial harassment or

## Section III

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discrimination as well as any other form of discrimination or harassment are responsible for immediately informing their supervisor, the chief administrative officer or Regional Human Relations Officer. If the employee's supervisor is the source of the harassment or discrimination, the employee will immediately report the harassment or discrimination to another supervisor, the chief administrative officer or Regional Human Relations Officer. Supervisors are responsible for being aware of what is happening in the work place and must take preventive measures to avoid discrimination or harassment. When a supervisor learns of an action which may be considered discriminatory or harassing, he/she is required to take immediate action to address the situation. Supervisors may be disciplined for failing to take preventive measures to avoid discrimination or harassment or failing to report discrimination or harassment.

Investigation of a complaint of illegal discrimination or harassment will occur even if the employee does not wish to have the complaint investigated. An investigation of such allegations follows the normal procedure for department or divisional investigations. If substantiated, and depending on the nature of the violation, discipline may be initiated, up to and including dismissal.

### **Employee Conduct - Reporting Criminal Misconduct (Arrest)**

Department Procedure D2-11.10

Employees who are arrested or charged with a criminal offense must immediately notify the chief administrative officer or highest-ranking staff member available. In this context, immediate means as soon as possible but no later than the beginning of the next shift worked by the employee.

Employees are required to report arrests and charges for all felonies and any misdemeanor, except a minor traffic violation. Alcohol related charges and driving while license is suspended or revoked are not minor traffic violations, so employees must report those matters. Employees must report any citation or arrest for a traffic violation that occurred while operating a state-owned vehicle.

In addition to making an immediate oral report, employees must submit to the chief administrative officer a detailed written account of the incident that led to the employee's arrest or filing of criminal charges. Employees must submit this written account before the end of the next shift worked after being arrested or charged. In the event that an employee is on leave, the employee is required to provide written notification as soon as possible but no later than three days after being arrested or charged.

Employees must notify the chief administrative officer in writing about court appearances related to the charges in advance of the court appearance. Employees must promptly provide a written account of the final disposition of the charge. This includes any plea that results in a suspended imposition or execution of sentence.

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### **Employee Conduct – Reporting Work-related Misconduct**

Department Procedure D2-11.10

Employees are obligated to immediately report any misconduct as described in department procedure D2-11.10, through the appropriate chain of command. If there is reason to believe that an employee in the chain of command may be involved in the alleged misconduct, then the employee should report the matter to the next higher level of management in the department.

Employees shall report actual or attempted theft of department property or the property of others.

Employees shall report any unauthorized possession or loss or damage to state property or the property of others, or endangering of state property or property of others through carelessness.

Employees shall report any neglect of job responsibility on the part of an employee which would jeopardize the security of the work place.

### **Employee Conduct - Avoidable Contact with Offender and Ex-Offenders**

Department Procedure D2-11.10

Any of the requirements of this procedure concerning an ex-offender will be effective for one year from the date the offender leaves supervision

All employees are required to conduct themselves professionally when associating with offenders.. Consequently, employees are prohibited from having avoidable contact (unnecessary personal interaction) with an offender. Avoidable contact is any contact with an offender that is not authorized as a responsibility of the employee's position. Prohibited contact includes, but is not limited to, unauthorized oral or written communication, business or social associations, giving unauthorized gifts of any nature, name calling, teasing, horseplay, joking with offenders, carrying messages for offenders or sharing personal information with offenders, and any other overly familiar act with an offender. This prohibition applies equally to avoidable contact with an offender's family members or significant others.

An offender is any person in the custody of or under the supervision of the Department of Corrections. This includes any person on probation or parole under the supervision of the Board of Probation and Parole.

Employees are required to notify the chief administrative officer in writing when they have a family member who is an offender. Employees must notify the chief administrative officer in writing when they have a pre-existing, personal relationship with someone who subsequently becomes an offender under the supervision of the Department. Similarly, employees must notify the chief administrative officer when they discover that a person with whom they have a personal relationship is an offender.

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Employees must inform the chief administrative officer in writing when they have unauthorized contact with an offender or an offender's family member or significant other, whether at work or outside the work site (for example, when an offender calls them at home).

Employees shall not give their own or fellow employee's home telephone numbers or address to offenders or an offender's family and/or significant others unless specifically authorized.

Employees are prohibited from receiving or giving anything to an offender, an offender's family or significant other, except those items authorized in the usual course of business.

Employees shall not remove from or bring into any area under jurisdiction of the Department any property, message, or any other item for an offender without proper authorization.

### **Offender Abuse and Sexual Contact with an Offender**

#### Department Procedure D1-8.6

As stated in the preceding section, employees are required to maintain professional relationships with offenders. Therefore, employees are prohibited from having avoidable contact with offenders or engaging in unnecessary personal interaction with them. The Department disciplines employees who violate this cardinal principle of corrections. Beyond this, employees who abuse offenders or engage in sexual contact with offenders can be prosecuted.

A person commits the crime of offender abuse by knowingly injuring the physical well-being of an offender by beating, striking, wounding or by having sexual contact with an offender. Offender abuse is a class C felony, which carries a maximum sentence of incarceration for seven years.

When any employee of the Department has reason to believe that an offender has been abused, the employee must immediately report all pertinent details in writing to the Department Director. Failure to report offender abuse is a class A misdemeanor.

A Department employee who works at a correctional center commits the crime of sexual contact with an offender by having sexual intercourse or deviate sexual intercourse with an offender confined in a correctional center. A probation and parole officer commits the crime of sexual contact with an offender if the officer has sexual intercourse or deviate sexual intercourse with an offender who is under the supervision of the officer. (Deviate sexual intercourse is a very broad term that is not limited to intercourse; it includes other forms of physical contact of a sexual nature.) The offender's consent is not a defense to this crime. Sexual contact with an offender is a class D felony, which carries a maximum sentence of incarceration for four years.

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### **Political Activity**

#### Department Procedure D2-11.2

Employees may take part in the activities of political parties and political campaigns, however, employees may not: run for or hold partisan political office; run for or hold nonpartisan political office that conflicts with department duties; knowingly solicit, accept, or receive a political contribution from any person who is a subordinate employee; or use official authority for the purpose of interfering with the results of an election.

Further, employees may not engage in political activity: while on duty; in any building occupied in the discharge of official duties; while wearing a uniform or official insignia identifying the position of the employee; when using a state vehicle; or by using state resources or facilities.

Employees having questions about the permissibility of political activity should contact their chief administrative officer.

### **Employee Searches**

#### Department Procedure D2-11.13

All employees of the Department are subject to having all items in their possession and their vehicles searched before and after entering departmental grounds. Employee searches may include a frisk, trace technology or strip search. Frisk and trace technology searches may be conducted without cause, but must be conducted uniformly or by a systematic random selection process. Strip searches may be conducted only with approval of the deputy/assistant division director and when there is probable cause and the strip search is necessary to prevent the conveyance of contraband into a correctional institution.

Employees refusing to submit to a search of their person or personal property may be subject to disciplinary action.

### **Solicitation & Gambling**

#### Department Procedure D2-11.7

No solicitation or gambling of any nature by any person or entity shall be permitted to take place on departmental property, whether owned or leased, except for those authorized organizations and activities established in departmental procedure.

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### **Selected Department Policies and Procedures**

#### **Equal Employment Opportunity**

Department Procedure D2-10.3

The Department of Corrections is committed to the concept of equal employment opportunities. The Department adheres to and enforces all state and federal laws relating to equal employment opportunity.

It is the responsibility of each employee to bring to his/her supervisor's or Human Relations Officer's attention any evidence of discrimination or harassment so that the matter can be investigated and resolved.

#### **Affirmative Action Plan**

Department Procedure D2-10.2

The Department's Affirmative Action Plan affirms its commitment to complying with all federal, state and local laws governing equal employment opportunities. The Affirmative Action Plan further guarantees equal treatment of all employees, and pledges the Department's determination in staffing and maintaining a diverse workplace. The plan supports the recruitment and hiring of individuals of different races, ethnic backgrounds, and all protected categories to create a qualified workforce indicative of the existing state population.

#### **Staff Development and Training**

Department Policy D2-12

The Department encourages and requires staff development through both internal and external training programs. The Department will provide internal training programs considered to be necessary and effective to keep staff up-to-date on new procedures and methods. Staff interested in pursuing other training opportunities should contact their work site training officer for information.

#### **Outside Training and Seminars**

Department Procedure D2-12.2

Employees are encouraged to seek outside training that will further develop them professionally and personally. For employees seeking outside training, this procedure provides guidelines for the approval and reimbursement of funds.

Staff wishing to attend training must submit a Request for Training Form and forward it to his/her immediate supervisor for approval.

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### **Communication and Public Relations**

#### Department Policy D1-3

For the Department to be successful in its stated mission and philosophy, effective communication with the public and with employees must be foremost in its operational management. The communication must be disseminated accurately and timely due to the potential for wide-ranging impact. To this end, the Department communicates with employees and the public through its Public Information Office.

This office is responsible for gathering data and information that is disseminated by the Department. Authority for contact with the public, the media or governmental officials rests with the Department or division directors or their public spokesperson. The Department's public information plan is designed to promote a better understanding of departmental goals and operations.

### **Internal Communications**

#### Department Procedure D1-3.2

Internal communication is accomplished through the Departmental newsletter, the *Horizon*, meeting minutes, the Department's electronic information network, field office newsletters, annual reports and planning committees. It is important that the exchange of information flows smoothly across the various organizational levels.

### **External Communication**

#### Department Procedure D1-3.1

When required to interact with external constituents, this procedure provides guidelines for how Department employees should respond.

To maintain an organized and consistent message to the media, the Public Information Office shall be advised of all media requests. Any requests should be immediately referred to your chief administrative officer.

All correspondence received from the Missouri Commission on Human Rights (MCHR), Equal Employment Opportunity Commission (EEOC), and/or Department of Labor (DOL), shall be immediately forwarded to the Director of Human Resources for response.

### **State Vehicles**

#### Department Procedure D4-4.1

Each vehicle owned and operated by the Department shall be maintained and operated to provide for the safe transportation of department personnel and offenders, as applicable, in accordance with standards and guidelines in the Department's Vehicular Safety Manual.

Employees shall operate state vehicles in a safe and courteous manner. Employees are



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prohibited from using state vehicles for their personal use. Staff shall abide by all posted speed limits and traffic control regulations, including the wearing of seat belts. Smoking and the use of any tobacco products are prohibited in all state vehicles. Possession or consumption of alcohol or illegal drugs in state vehicles is prohibited.

Employees must immediately report to the chief administrative officer of their work site or designee all citations, official summons to court and arrests for violation of traffic laws while operating a state vehicle.

Employees who violate traffic laws in a state vehicle, who are discourteous and unsafe in the operation of a state vehicle, who smoke or use tobacco products in a state vehicle, who possess or consume alcohol or illegal drugs in a state vehicle or who use a state vehicle in a personal or unauthorized manner shall be subject to disciplinary action, up to and including dismissal.

Employees who are involved in an accident while operating a state vehicle must immediately report such accident to the chief administrative officer of their work site. Employees who are involved in an accident while operating a state vehicle may be required to submit to substance abuse testing.

### **Americans with Disabilities Act (ADA) Complaint/Grievance Procedure**

Department Procedure D1-1.2

The ADA procedure establishes guidelines for receiving and resolving complaints relative to the Americans with Disabilities Act. The Missouri Department of Corrections is committed to full compliance with the Americans with Disabilities Act.

To ensure compliance and to address complaints, the Department has established ADA site coordinators. Employees are encouraged to contact their work site ADA Coordinator if they feel a violation has occurred.

### **Investigations**

Department Procedure D1-8.1 and D1-8.4

All employees must give their full cooperation in all investigations conducted by their chain of command, Criminal Investigation Unit, or a Human Relations Officer.

A psychological stress evaluation, Computer Voice Stress Analyzer (CVSA), or a polygraph examination may be authorized to aid in any formal investigation being conducted by the Department. Refusal on the part of the employee to take an examination may result in disciplinary action.

While an investigation is pending, employees who are interviewed (or their representatives) may not disclose any matter that was discussed during an investigatory interview conducted by a Criminal Investigation Unit investigator, Human Relations Officer, or the employee's chain of command.

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### **Professional Organizations**

Department Procedure D2-6.4

All employees are encouraged to join professional organizations that provide job related professional education and training. Employees are not permitted to utilize standard work hours without supervisory approval to perform duties incidental to membership in professional organizations, even if they hold an office in such an organization. This should not be construed to prohibit an employee from preparing for an official presentation to a professional organization when they are representing the Department of Corrections.

### **Personnel Clubs**

Department Procedure D2-7.10

The Department supports the development of Personnel Clubs at each work site, to promote the well-being and camaraderie of the workforce. Employees are encouraged to join and participate at their leisure.

### **Employee Relations**

#### **Selection, Appointment and Retention of Employees**

Department Policy D2-2

Employee retention is a critical department-wide issue. All staff has a stake in assisting the Department in its retention efforts. Employee retention is of vital importance within the structure of any agency to ensure that special knowledge and skills are developed and maintained to provide for the most efficient functioning of all areas within the Department. Employees are encouraged to work with their management staff to improve, where necessary, the working conditions for staff.

To assist in retaining employees, regional Human Relations Officers are available to assist employees in resolving workplace issues. For further information on the Human Relations Officer in your region, contact your local work site human resources representative or Central Office Human Resources.

#### **Selection Procedure**

Department Policy D2-2

The selection of employees will be made in accordance with procedures established through the state merit system and with state statutes to ensure that selections are made on an equitable basis.

#### **Job Opportunity Announcements**

Department Procedure D2-1.2

The job opportunity announcement procedure provides guidance for the purpose of recruiting and informing employees of available merit (classified) and non-merit (unclassified) employment opportunities by the posting of job opportunity announcements on bulletin boards in each division office and all facilities. Such announcements may also be viewed in the AS/400 computer system under the folder name of JOBANNCE and on the “shared\_by\_all\_doc” in the **Job Opportunity Announcement** folder. Employees may obtain additional information by contacting their work site personnel representative, Central Office Personnel or the Office of Administration, Division of Personnel.

All job opportunity announcements will be posted for a minimum of 7 working days.

#### **Probationary Period**

Department Procedure D2-4.3

The probationary period procedure for merit employees provides guidelines for the initial period of time during which the supervisor monitors the employee’s ability to perform the job.

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Classified employees must successfully complete a probationary period prior to achieving regular status under merit system regulations. The length of the probationary period varies depending on the type of appointment and classification received and is indicated on the Notice of Appointment issued to all employees. The probationary period may be extended by the appointing authority, when it is necessary to evaluate a new employee beyond the usual probationary period. The length of the extension will vary depending on the type of appointment and the level of performance being evaluated.

### **Selection Procedure – Non-Merit Appointment**

Department Procedure D2-2.7

The non-merit appointment procedure provides guidelines for appointments made outside of the merit system. Non-merit employees serve in an at-will status; as such, they do not have any rights of appeal to the Personnel Advisory Board (PAB). Appointments of this nature do not require merit system examinations and are not covered by merit system rules. Non-merit employees will not serve a probationary period.

### **Career Progression Promotion**

Department Procedure D2-2.9

The procedure for career progression promotion is designed to provide for promotions without the use of competitive certification procedures under specified circumstances. Career progression promotions are non-competitive appointments. Multi-level positions have been determined by the State Personnel Division to be established at more than one classification level. An employee may progress from a lower to a higher job classification without the use of a promotional or open-competitive register when they have occupied a multi-allocated position for less than one year. Reclassifications are non-competitive appointments that normally occur after an employee has worked for one year in a multi-level position or when the State Personnel Division reallocates an employee's position and indicates this action is taken.

Employees may obtain additional information by contacting their work site personnel representative, Central Office Personnel or the Personnel Division within the Office of Administration.

### **Labor Organizations**

Department Procedure D2-11.6

The Department will only recognize those labor organizations certified by the Department of Labor and Industrial Relations. As provided by statute, Department employees have the right to join and participate in labor organizations, however, employees do not have the right to strike and such activity will not be condoned.

### **Employee Performance Planning and Appraisal System**

#### Department Procedure D2-4.1

The Employee Performance Planning and Appraisal System is used to establish, maintain, and improve the job performance of individual employees within the Department, thereby increasing their productivity.

Employees' work performance will be evaluated on a regular basis by the immediate supervisor, the intent of which is to promote effective communication between the employee and supervisor and to improve job performance and to enhance work relations. The appraisal is conducted at the end of an original or reemployment probationary period and on an annual basis each year between January and March for all benefit eligible employees. For non-merit employees, a probationary period will not be served; however, the employee's performance will be evaluated on an annual basis.

Special performance appraisals may be completed at the discretion of the supervisor when performance or job duties significantly change.

The supervisor will present the appraisal to the employee for review and signature at the end of the appraisal period. The employee's signature does not signify agreement with the appraisal, but indicates the employee has had an opportunity to review the rating. If an employee believes the rating is not accurate, he/she may request the rating be reviewed. Employees are provided with a copy of both the employee performance plan and appraisal.

### **Employee Performance Counseling and Performance Planning**

#### Department Procedure D2-4.1

To develop, maintain, and improve job performance, each employee must understand all job components and expectations of the position for which they are accountable. Through effective communication, it is the supervisor's responsibility to ensure that employees are provided the opportunities to understand these components and expectations through orientation, training and employee performance counseling.

Performance counseling must occur in the following instances:

- New or promoted employees should have job components and expectations reviewed and discussed,
- At the first sign that an employee's performance is falling below acceptable standards, and
- Quarterly during the first year of employment. All employees are to have quarterly PERforM meetings. Probationary employees are to have monthly PERforM meetings.

In conjunction with performance counseling, an Employee Performance Plan may be developed to help the supervisor and employee develop performance goals. For a performance rating of "Needs Improvement," an Employee Performance Plan must be completed in conjunction with a performance appraisal rating.

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Documentation of all performance counseling must be maintained in the performance log or on performance notes.

### **Maintenance of Employee Records**

#### Department Procedure D2-5.1

Personnel records are maintained on all employees of the Department. This includes, but is not limited to, initial employment application and other materials related to initial employment, performance appraisals, disciplinary records, commendations for exemplary behavior, time and attendance records, training information and other memorandums of the employee's actions during employment.

All personnel records of the employee are held in the strictest of confidence. Any employee wishing to view his/her official personnel file may do so at Central Office Human Resources. Files may be reviewed in accordance with procedure. The employee must give reasonable notice to the Human Resources Director for permission to view his/her file.

Employees may review his/her work site file upon reasonable notice to the work site personnel representative. Any employee reviewing his/her file shall do so in the presence of authorized personnel staff.

An employee wishing to send his/her personnel file to a third party observer must provide a signed written release indicating who the file is to be sent to and the information needed from the file. A fee for this service will be charged.

### **Employee/Management Grievance**

#### Department Procedure D2-10.1

This procedure provides guidance for employees who perceive they are experiencing issues in the workplace which may negatively impact their ability to perform their duties effectively.

The grievance procedure and grievance forms are available in all work site human resources offices, field offices, resource centers or areas easily accessible to all employees.

It is the responsibility of the employee to be knowledgeable of this procedure prior to filing a grievance. To assist the employee and management in arriving at an agreeable resolution, the Human Relations Officer is available to work through the grievance process.

### **Transfer of Employees**

#### Department Procedure D2-2.13

This procedure governs voluntary and involuntary transfers. Employees should review

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the transfer procedure before requesting a transfer, as transfers are not automatically granted.

An employee wishing to transfer must meet the following criteria:

- regular status and have a minimum of 1 year service at the current work location;
- if transferred, another transfer request may not be submitted for consideration until 1 year of service has been completed at that work location;
- last performance appraisal rating must be "successful" or above;
- any Employee Performance Improvement Plan, initiated in accordance with D2-4.1 within the last 12 months must have been satisfactorily resolved;
- no current disciplinary proceedings or active investigations;
- no disciplinary sanctions received within the last 6 months.

All transfer requests must be submitted on a Request for Transfer Employee Form to the appropriate chief administrative officer. Hardship transfer requests are considered on a case by case basis.

### **Resignations**

#### Department Procedure D2-3.1

An employee who desires to resign and remain in good standing must provide his/her chief administrative officer and immediate supervisor with a written notification at least 15 calendar days prior to the effective date of resignation.

Employees shall make arrangements to return all state owned uniforms, equipment, identification cards, keys, etc.; to the work site (human resources office or immediate supervisor) prior to the resignation date.

Employees who plan to resign are required to complete an Exit Interview Form. This information will be used to assist the Department in reviewing and making necessary changes that impact the work environment.

### **Health and Safety**

#### **Employee Drug Testing and Employee Alcohol Testing**

Department Procedure D2-11.11 and D2.11.12

As a law enforcement agency, the Department strives to safeguard the rights and privacy of employees while it also pursues a compelling interest in maintaining a drug-free and alcohol-free environment.

The Department prohibits:

- Possessing or using any illegal controlled substance, whether the employee is on or off duty;
- Performing official duties while under the influence of alcohol or illegal drugs;
- Possessing or consuming alcoholic beverages while on department property or in state vehicles;
- Misusing or abusing prescription medicine; and
- For positions that have offender contact, performing official duties with an odor of alcohol on one's breath.

Prior to employment, all employees must submit to a drug test. Many employees occupy safety-sensitive or security-sensitive positions. These are test-designated positions, which are subject to random drug and alcohol testing. In addition to pre-employment and random tests, employees may be required to submit to drug and alcohol tests in the following circumstances: reasonable suspicion, critical incident, post-accident, return to duty, and follow-up.

Any person who suspects that an employee is under the influence of drugs or alcohol must promptly report that information to his or her immediate supervisor who will inform the supervisor of the suspect employee. The employee's supervisor immediately investigates the facts. When appropriate, the supervisor relieves the employee from duty and contacts the chief administrative officer or designee. The chief administrative officer or designee reviews the information and determines whether reasonable suspicion exists. If reasonable suspicion exists, the employee is required to submit to drug and/or alcohol testings.

For drug tests, an employee may be disciplined for, among other things, refusing to provide a specimen, for providing an adulterated, diluted, or substituted specimen, and for a positive result.

For alcohol tests, an employee may be disciplined for, among other things, attempting to manipulate a test result, for refusing to submit to a test, and for a positive result. A positive result is any measurable quantity of alcohol in one's body. Therefore, an employee may be disciplined for a level of alcohol well below the statutory presumption for intoxication (.08%).



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The Department supports drug and alcohol education and the availability of counseling and rehabilitation program for all employees.

### **Tobacco Use Limitations**

Department Procedure D2-11.9

Smoking and the use of smokeless tobacco by employees are prohibited in all buildings, offices, state vehicles or any enclosed area operated exclusively by the Department.

### **Tuberculosis Testing**

Department Procedure D2-7.8

All new employees and volunteers of the Department are required to obtain a Mantoux Purified Protein Derivative (PPD) two-step tuberculin test within three (3) weeks of starting employment.

State correctional centers shall screen their residents and staff for tuberculosis using the Mantoux method (PPD) five-tuberculin unit (5 TU) test. Only the Mantoux PPD test as defined in the rule will be acceptable.

All skin test results are to be documented in millimeters (mm) of indurations.

BCG vaccination shall not prevent new employees and volunteers from receiving a tuberculin test. For an individual with a history of BCG vaccination, a significant reaction of ten millimeters (10mm) or more shall be considered as infected with mycobacterium tuberculosis.

Employees and volunteers with a documented history of a positive Mantoux PPD test shall not be required to retest. In the absence of documentation, a repeat test shall be required.

Each year, the employee will, during his/her birth month, be required to have a PPD test, with the exception of identified high-risk work sites that routinely test more often. Special mandatory staff testing may be required at times other than the birth month. Employees who fail to complete the TB test when required may be disciplined up to and including termination.

Staff will be permitted to utilize the on-site employee health nurse, if available; the contracted health department, if available; or their health care provider of choice. The Department will only pay for testing with the employee health nurse, the contracted health department, or if recommended, the designated physician.

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### **Hepatitis B Vaccinations**

#### Department Procedure D2-15.2

All Department employees and volunteers shall be given the opportunity to take the series of Hepatitis B vaccinations as long as the employee remains with the Department. These vaccinations are free to consenting employees. However, if the employee chooses to take the vaccinations, he/she must complete the series or risk being charged for the vaccinations used.

### **Hepatitis A Vaccinations**

#### Department Procedure D2-15.3

Hepatitis A vaccinations are available to identified job classes and certain high-risk employees free of charge.

### **Fire and Safety**

#### Department Policy D4-2

It is the policy of the Department to provide a safe environment in all institutions and work sites. Each employee must take responsibility for his or her own safety and shall adhere to all health and safety programs. Employees are required to use safe working practices and identify and report any safety hazards or conditions to their supervisor.

All employees should be familiar with the safety policies and procedures at their work site.

### **Wellness Activities**

#### Department Procedure D2-7.5

The Department recognizes the importance of physical and mental well-being and encourages employees to take part in any state or departmental sponsored wellness events or activities.

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### **Employment Benefits**

#### **State Sponsored Insurance Plans**

The Missouri State Employees' Retirement System (MOSERS) provides insurance options to its members. They are as follows:

- Basic Life Insurance
- Long-term Disability
- Missouri Voluntary Life Insurance Commission
- Optional Life Insurance (portable) – Dependent coverage is available

Missouri Consolidated Health Care Plan provides member and dependent coverage for the following:

- Medical
- Dental
- Vision Plan

It is recommended that questions regarding eligibility and program specifics be directed to the work site personnel representative.

#### **Cafeteria Plan**

The Cafeteria Plan is a benefit option available to state employees that allows pretax dollars to be used for dependent care; state sponsored medical, dental, and vision insurance premiums; and other flexible medical benefits as identified by the Cafeteria Plan. As a result, this may lower the employee's tax obligation.

#### **(MOST) Savings Tuition Program**

The Missouri Savings for Tuition Program is an educational savings program designed for higher education costs and is available through payroll deduction. For more information, contact your worksite human resources office.

#### **Direct Deposit**

Department Procedure D2-7.11

Direct Deposit is a program designed to expedite the processing of payroll deposits and expense checks electronically to the financial institution or paycard of your choice.

All DOC employees are required to participate in the state payroll direct deposit/paycard program.

#### **Credit Union**

Services of the Missouri Credit Union are available to all employees of the Department. This is a not-for-profit savings and lending institution, offering a variety of savings, checking, loan programs, travelers' checks, credit cards, automatic teller machines, and investment options, etc. Application for membership should be made directly at the Credit Union office.

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### **Savings Bond**

The State of Missouri offers a savings bond program. Employees may designate a portion of their income for the purchase of a variety of savings bonds and may use automatic payroll deduction for their purchase.

### **Deferred Compensation**

This is a voluntary program that offers state employees the opportunity to set aside a portion of their income in addition to their state retirement plan. Employees will also receive a state contribution, when qualified after one year of service. ING administers the program.

For information, contact your work site personnel or ING representative.

### **Employee Assistance Program (EAP)**

Department Procedure D2-7.9

The EAP is an employer paid confidential service for state employees, as well as immediate family members. The EAP is available to all active state employees who are eligible for health benefits through Missouri Consolidated Health Care Plan. The program is designed to provide assistance in resolving problems related to drug and alcohol abuse, marital, family, legal, financial, stress, or career problems. Employees experiencing any of these concerns are encouraged to seek assistance through the EAP.

When deemed necessary, the employee's Division Director may mandate attendance to the EAP.

Information on the EAP may be obtained from the work site personnel representative or the regional Human Relations Officer. Employees needing the services of the EAP may reach them at 800-808-2261. The EAP is available 24 hours a day, 7 days a week.

### **Reimbursement for Travel and Subsistence**

Department Procedure D2-6.1

Employees may be reimbursed for reasonable travel and subsistence expenses. This procedure establishes guidelines for the reimbursement of reasonable and necessary travel and subsistence expenses incurred by employees on official department business.

Employees who submit expense reports containing false information may be disciplined.

### **Employee Recognition**

Department Procedure D2-7.2

The Department takes great pride in recognizing outstanding performers. Employees can be recognized at their work site and at the departmental and state level for performing their duties in an outstanding manner or accomplishing exemplary achievements in the performance of their duties. The Department acknowledges these accomplishments

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through the Employee of the Month selection process.

Employees are encouraged to nominate co-workers for these awards.

### **Legal Expense Fund**

The state provides protection for employees against claims or legal judgments resulting from the performance of their official job duties. Employees may be provided legal representation at no cost to themselves, if they have performed their official duties within the guidelines of policy and procedure.

### **Employee Injury/Workers' Compensation**

Department Procedure D2-15.5

The employee injury and workers' compensation procedure establishes guidelines for reporting work-related injuries and the medical care of employees in the processing of a workers' compensation claim. Employees who are injured on the job and who are seeking workers' compensation benefits are required to obtain authorization before seeking medical care and must obtain medical care from an authorized medical provider, unless emergency care is needed. Employees who fail to obtain authorization for medical care or fail to use an approved provider will bear the expense of non-emergent care.

All employees are covered under the Workers' Compensation law. If you are injured while performing work for the state, you must immediately notify your supervisor. Failure to notify your supervisor or a higher ranking officer within thirty days of an injury or within thirty days of the date that an occupational disease is diagnosed may result in a loss of your Workers Compensation benefits. If your injury requires immediate medical treatment, you should go to the nearest emergency room. If you do not require immediate medical care, ask your supervisor, the personnel unit, or the Workers' Compensation Coordinator at your work site to explain the appropriate procedure. Any compensable medical or hospital expenses will be paid as provided by the Workers' Compensation law. If you are unable to return to work, you must address the type of leave to be used with your supervisor and the work site personnel representative.

### **Early Return to Work**

The Department is committed to maintaining a skilled workforce and assisting in the recovery of employees who are injured or who contract an occupational illness in the course and scope of employment.

To foster the recovery of employees who sustain a work related injury or illness, the employee will be placed in a temporary alternate duty assignment, when feasible, to perform duties consistent with the employee's temporary limitation. The Department does not guarantee any employee a temporary alternate duty assignment.

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### **Retirement**

#### Department Procedure D2-3.2

Employees of the Department who meet the eligibility criteria are covered under the Missouri State Employees' Retirement System.

Current publications that cover retirement eligibility, benefits, creditable service, contributions, early retirement, and other retirement issues are available from the work site personnel representative.

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### Leave Benefits

Employees of the Department are eligible for all leave benefits in accordance with provisions established by the State Merit System and as outlined in the Departmental Policy and Procedure Manual.

#### Employee Time and Attendance

Department Policy D2-8

Employees of the Department are eligible for leave benefits in accordance with provisions established by state and federal guidelines and departmental procedures. Management maintains the right to establish work hours and schedules for all employees.

#### Time and Attendance Reporting

Department Procedure D2-8.1

The time and attendance procedure establishes guidelines for recording an employee's time and attendance; to ensure hours worked and to ensure authorized leave and overtime earned are correctly recorded and compensated according to state and federal guidelines.

It is the employee's responsibility to submit a leave slip when requesting to take leave in accordance with the guiding procedure. The request for leave should be presented to the direct supervisor immediately upon knowing leave is needed.

#### Administrative Leave

Department Procedure D2-8.5

The administrative leave procedure establishes guidelines and conditions under which administrative leave may be granted. Administrative leave is leave with pay. Any employee wishing to take administrative leave must complete the Application for Leave/Overtime Form and submit it through the appropriate chain of command to the chief administrative officer of the work site for approval.

Administrative leave may be granted for a number of reasons. The following list is non-exhaustive:

Subpoenas	Jury Duty	Conferences
Employee Trauma	Voting	Funerals
Blood Drive	Workers' Compensation	Investigations
Employee Injury	Tuberculosis Test	
Pending Disciplinary Actions		
Promotional Examination/ Promotional or Lateral Transfer Interview (Departmental only)		
Other reasons as determined by department procedures		

Employees who are placed on administrative leave pending the completion of an investigation into misconduct must remain readily available to the chief administrative

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officer between 8:00am and 4:00pm Monday through Friday, unless other hours are required by the chief administrative officer.

### **Annual Leave**

Department Procedure D2-8.2

The annual leave procedure establishes guidelines on how annual leave accrues and how it may be used when earned on a semi-monthly basis. Employees wishing to use annual leave are required to request leave in advance of its usage. Employees failing to adhere to policy may be subject to being placed in Leave Without Pay Status and may be subject to discipline.

Earned annual leave is credited at the end of each pay cycle (15<sup>th</sup> and last working day of the month). Annual leave cannot be taken before it is earned. The granting of leave is subject to prior approval of the immediate supervisor based on the needs of the Department. Leave usage may be denied by the immediate supervisor if the Department has a business need for the services of the employee.

Annual leave may be taken in increments of 15 minutes.

Employees transferring to another state agency will be paid in full for their leave unless, prior to the transfer, a written request is provided to transfer said leave to the new agency.

Employees may accrue annual leave above the maximum allowed based on years of service, however, an employee who has greater than the maximum allowed as of October 31 will have his/her leave credited to the ShareLeave pool, unless the employee opts out.

### **Semi-Monthly Accruals Based on Hours in Pay Status Annual Leave Accrual Chart**

Years of Service	Semi-Monthly Accrual	Maximum Accumulation
Less than 10 yrs	up to 5 hours	240 hours
10-14 yrs	up to 6 hours	288 hours
15 yrs or more	up to 7 hours	336 hours

### **Compensatory Time**

Department Procedure D2-8.4

The purpose of this procedure is to provide guidance for the accrual and usage of compensatory time. The Department complies with all applicable provisions of the Fair Labor Standards Act (FLSA) and state laws.



## Section VIII

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The ability to work beyond a normal scheduled shift and more than 40 hours in a work week is an essential function of all Department of Correction employees. Management will provide staff with prior notice of the need for overtime, when possible. Staff refusing to work mandated overtime may be subject to disciplinary action, up to and including dismissal.

Staff working overtime must have prior approval by the immediate supervisor. Any staff working overtime without management's prior approval may be subject to discipline.

Code 2 employee's in specific job classifications who work at an institution, community release or supervision center shall be eligible for payment of all comp-time as defined by state law and regulations. Employees may request a minimum of 20 hours to be paid. Once a valid request is made, the employee shall receive payment within the next calendar month. All other staff eligible to accrue overtime will have their additional hours applied as compensatory time. When funding becomes available, overtime may be paid at the discretion of the Department.

### **Holiday Time**

Department Procedure D2-8.10

The holiday time procedure establishes guidelines on how holiday time accrues and is used. Holiday time cannot be used before it is earned.

The Department Director shall issue a list each year of all holidays that have been proclaimed by order of the Governor.

Part-time employees will receive pro-rated holiday credit.

Employees with work schedules of more than eight hours per day will be required to work or apply for leave to cover the additional hours of work. For example, an employee who works a ten-hour schedule would be required to apply for two hours of leave or take leave without pay or work two hours within the same workweek, or have their work schedules adjusted if approved by the chief administrative officer.

### **Inclement Weather**

Department Procedure D2-8.9

Employees who are critical to the operations of the facility are required to report to work. Employees not considered critical to facility operations may be permitted to stay home or leave work early with supervisory approval. Employees who wish to stay home or leave work early will use any accumulated compensatory time, annual leave, apply for leave without pay or readjust their work schedule to make up the time lost within the same workweek with supervisory approval.

## Section VIII

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### **Leave of Absence Without Pay (LWOP or LOA)**

#### Department Procedure D2-8.6

The LWOP/LOA procedure establishes the conditions under which leave without pay or a leave of absence may be granted. Employees must apply in writing through the appropriate chain of command to the chief administrative officer of their work site and upon written approval of the application by the appropriate Division Director, may obtain a leave of absence for the following reasons:

- Medical disability or illness of the employee
- Employee training or study for the purpose of improving the quality of service to the Department or for preparing for a promotional opportunity
- Military leave
- Workers' Compensation
- Extraordinary reasons.

Employees who take unauthorized leave are subject to discipline.

### **Military Leave**

#### Department Procedure D2-8.7

The Department complies with all regulations under the Uniformed Services Employment and Reemployment Rights Act (USERRA). USERRA is designed to protect the rights of persons who are absent from employment because of military service.

Employees who are members of the Armed Forces of the United States or the National Guard who are performing military duties on a voluntary or involuntary basis are entitled to military leave of absence. While serving under military orders, employees will be entitled to the protection and benefits of USERRA. Employees serving in the military under eligible criteria will not be subjected to any negative impact on their career with the Department to include seniority, benefit entitlement or performance rating. The Department provides 120 hours of paid military leave (not including days off or holidays) in any federal fiscal year (October 1-September 30).

### **Shared Leave**

#### Department Procedure D2-8.12

When employees suffer a catastrophic illness or injury and have exhausted all paid leave, he/she may qualify for ShareLeave.

This procedure allows employees to donate compensatory time or unused accrued annual leave to a pool. The pool is established for the purpose of providing additional paid sick leave to fellow employees who have exhausted all leave and are experiencing difficulty.

Employees who exhaust all leave balances and meet the given criteria may apply and qualify for ShareLeave.

## Section VIII

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### **Sick Leave**

#### Department Procedure D2-8.3

The sick leave procedure establishes guidelines for administering sick leave credit in accordance with provisions of the state merit system and establishes conditions under which such leave may be utilized.

Sick leave may be utilized for the employee's own sickness or injury, pregnancy, childbirth, medical, surgical, dental, optical, mental or emotional examination or treatment, contagious disease which would jeopardize the health of others, or illness of the employee's spouse, children and other members of the employee's household, which require the employee's personal care and attention.

Sick leave may be taken in increments of 15 minutes.

Earned sick leave is credited at the end of the pay cycle (15<sup>th</sup> and last working day of the month). Sick leave cannot be taken before it is earned. An employee needing to use sick leave must complete the Application for Leave/Overtime Form prior to leave, if foreseeable, or as soon as the employee returns to work.

Employees must contact their immediate supervisor, control center, or other designated supervisor at the work site at least 60 minutes prior to the beginning of their shift each day they are expected to be absent, unless other arrangements that are agreed to by the supervisor are made. Employees who work at a single shift office will contact their supervisor at the beginning of the work shift.

Employees who are absent in excess of 40 consecutive working hours are required to provide a written statement from their attending physician to their immediate supervisor. If the absence is less than 40 consecutive working hours, a physician statement may be required as deemed necessary by the immediate supervisor.

Employees who have been separated from state service five years or less and subsequently are reemployed may have their sick leave balances restored under Merit System Rule 20-3.030.

If an employee transfers to another state agency, the accumulated sick leave will transfer upon notification of the transfer.

Sick leave accrues up to a maximum of 5 hours per pay cycle.

Employees who have been determined to abuse sick leave or falsify or obtain under false pretenses a physician statement may be subject to disciplinary action up to and including dismissal.

## Section VIII

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### **Family and Medical Leave Act (FMLA)**

Department Procedure D2-8.13

The Family and Medical Leave Act (FMLA) provides to eligible employees unpaid, job-protected leave for certain family and medical reasons. Except in the case of leave to care for a covered service member with a serious injury or illness, eligible employees are entitled to up to 12 weeks (480 hours) of unpaid job protected leave in a 12 month period. Eligible employees who take FMLA leave to care for a covered service member may be entitled to up to 26 weeks of unpaid job protected leave in a 12 month period.

In order to be eligible, the employee must have been employed by the State of Missouri for at least 12 months and must have physically worked a minimum of 1,250 hours during the preceding 12 months.

FMLA Leave is available for the following reasons:

- Birth/bonding of a child
- To care for a newborn child of the employee
- Placement of a child with the employee through adoption or foster care
- Care for the employee's parent, spouse, or child with a serious health condition
- The employee's own serious health condition that renders the employee unable to perform the functions of his or her job.
- To address certain qualifying situations which occur while the employee's spouse, child or parent is a member of a Reserve component or is a retired member of the regular Armed Forces or Reserves and is on active duty or has been notified of an impending Federal call to active duty
- To care for a covered service member with a serious injury or illness, if the employee is the spouse, child, parent or next of kin of the covered service member.

Employees retain their group health care benefits while on FMLA leave. Employees remain responsible for paying their portion of health insurance premiums. Upon return from FMLA leave, an employee is entitled to return to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee who takes FMLA leave for his/her own serious health condition may be required to submit certification from the employee's health care provider that he/she is fit for duty.

When the need for FMLA leave is foreseeable, the employee must notify his/her supervisor at least 30 days before the leave is to begin. If 30 days notice is not practicable, then notice shall be given as soon as practicable. Leave requests must comply with the requirements of department procedure D2-8.1 Time and Attendance Reporting.

## Section VIII

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The chief administrative officer/designee shall make the final determination of whether the event qualifies under the FMLA. When required, the employee shall submit a completed medical certification signed by a qualified health care provider to the worksite/regional personnel office. Re-certification may be requested at times as provided for in the FMLA. The employee must provide the requested certification or re-certification within 15 calendar days after the employer's request, or the employee may be denied FMLA coverage for all related absences incurred after the 15 day period until the employee produces a valid certification.

As with other topics in this handbook, employees should consult the department procedure for a more complete review of the FMLA.

## Section IX

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### **Discipline**

#### **Employee Discipline**

##### Department Procedure D2-9.1

Appointing authorities of the Department are authorized by state law to discipline employees. Disciplinary action may consist of a written reprimand, suspension, demotion, or dismissal. The appointing authority may discipline an employee based upon unsatisfactory performance of job duties or misconduct.

Common examples of misconduct include:

- Unauthorized contact with an offender or offender's family or significant other;
- Insubordination;
- Tardiness;
- Excessive or unauthorized absences;
- Inappropriate use of leave;
- Threatening co-workers;
- Unprofessional or discourteous behavior toward co-workers or the public;
- Personal use of state property; and
- Other violations of the Department's code of conduct.

The above list is non-exhaustive. State regulations and department procedures specify additional grounds for discipline.

In addition to these actions while on duty, an appointing authority may discipline an employee for off duty misconduct, especially misconduct that is unprofessional or criminal. Employees who have been charged with a criminal offense may be suspended while the charge is pending.

The employee's chief administrative officer provides the appointing authority with information about the employee's unsatisfactory performance or misconduct. The appointing authority reviews all available information and determines what, if any, disciplinary action will be imposed.

When an appointing authority suspends, demotes, or dismisses a regular (i.e., merit) employee, the appointing authority provides the employee with notice of the planned action. Before the effective date of the action, regular employees may respond to the appointing authority (or designee). Additionally, regular employees are entitled to appeal to the Personnel Advisory Board (PAB) in the event of a suspension in excess of five work days, demotion, or dismissal.

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Original and Re-employment probationary and unclassified employees receive written notification of disciplinary action, but do not have any appeal rights.

Employees who are dismissed will be compensated for any annual leave or compensatory time credited to their record. The employee must return all state property, including uniforms, equipment, and identification cards.

## Section X

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### **Acknowledgment and Receipt of Employee Handbook Form**

I acknowledge receipt of the Department of Corrections Employee Handbook 2010 and my responsibility to become familiar with its contents. I further understand that the Department maintains that:

- The Department's Employee Handbook represents a brief summary of some of the more important department policies and procedures relative to employment, but it is not intended to be all inclusive.
- The Department retains the sole right in its business judgment to modify, suspend, interpret, or cancel in whole or in part at any time, and with or without notice, any of the published or unpublished personnel practices or policies.
- The Department does not recognize verbal or implied contracts for employment. Only the Director of the Department of Corrections has the authority to enter into any agreement of employment for a specified duration. Such employment agreements will only be valid and binding on the Department when the agreement is set forth in a written document signed by the employee and Director or designee of the Department.
- The contents of this handbook do not constitute an expressed or implied contract of employment.
- Employees have the right to end their employment relationship with the Department, with or without advance notice or cause. Employees terminating their employment without giving 15 calendar days notice will be considered to have resigned in bad standing.
- The Department holds all employees responsible for abiding by and adhering to all policies and procedures.

Employee Name (Print): \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Name (Print): \_\_\_\_\_

Witness Signature: \_\_\_\_\_

Title of Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Revised February 2010